

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

MARTIN O. LONG,

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Plaintiff,

\*

vs.

\*

Case Number: 2:06cv816-MHT

STATE FARM FIRE AND  
CASUALTY COMPANY,

\*

\*

Defendant.

REPORT OF PARTIES PLANNING MEETING

Pursuant to Federal Rules of Civil Procedure 26(f), a meeting was held on October 2, 2006, and was attended by F. Tucker Burge on behalf of Plaintiff and James B. Newman on behalf of the Defendant.

1. The parties do not request a conference with the Court for entry of the Scheduling Order.

This action involves Plaintiff's claim for breach of an insurance contract, as well as claims for bad faith. After the alleged theft of a vehicle covered by the policy, the plaintiff's claim for insurance proceeds was denied.

2. This jury action should be ready for trial by July 30, 2007 and, at this time, is expected to take approximately four days excluding jury selection.

3. The parties request a pre-trial conference in July, 2007.

4. Discovery Plan. The parties jointly propose to the Court the following discovery plan:

a. Discovery will be needed on the following subjects: Liability and damages, the contract and alleged breach or non-breach thereof, investigation of the claim, denial and other matters discoverable under Rule 26 relating to Plaintiff's claims or Defendant's defenses.

b. All discovery will be commenced in time to be completed by May 31, 2007.

5. Initial disclosures. The parties will exchange by October 31, 2006, the information required by Federal Rules of Civil Procedure 26(a)(1).

6. The parties request until November 10, 2006, to join additional parties and amend the pleadings.

7. Reports from retained experts under Rule 26(a)(2) are due:  
from Plaintiff by April 1, 2007; and  
from Defendant by May 1, 2007.

8. Supplementation under Rule 26(e) are due May 8, 2007.

9. Pre-trial disclosures. Final list of witnesses and exhibits under Rule 26(a)(3) are due by June 30, 2007.

Discovery limits.

a. Maximum of 50 interrogatories by each party to any other party.  
Responses are due as provided in FRCP.

b. Maximum of fifteen depositions by Plaintiff and fifteen by Defendant. Three depositions are limited to six hours for each party. The remaining depositions are limited to four hours.

- c. Maximum of 50 request for admissions by each party to any other party. Responses are due as provided in FRCP.
- d. Maximum of 30 request for production of documents by each party to any other party. Responses are due as provided in FRCP.

10. All potentially dispositive motions must be filed by June 15, 2007.
11. Settlement cannot be evaluated prior to the depositions of the parties.

Date: October 10, 2006

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s/ F. Tucker Burge  
F. TUCKER BURGE  
Attorney for Plaintiff Martin O. Long

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s/ James B. Newman  
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